

THE WAGNER FIRM

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

IN RE BIOLASE, INC.
SECURITIES LITIGATION

) Case No. SACV 8:13-cv-01300-JLS-
) (FFMx)

)

)

) **LEAD PLAINTIFF'S NOTICE OF**
) **MOTION AND MOTION FOR FINAL**
) **APPROVAL OF CLASS ACTION**
) **SETTLEMENT, PLAN OF**
) **ALLOCATION, AND APPLICATION**
) **FOR AN AWARD OF ATTORNEYS'**
) **FEES AND EXPENSES**

)

) Date: October 9, 2015

) Time: 2:30 p.m.

) Place: Courtroom 10A

) [The Honorable Josephine L. Staton]

1 TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR
2 COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE that on October 9, 2015, at 2:30 p.m., the undersigned
4 counsel for Lead Plaintiff shall move before the Honorable Josephine L. Staton, Judge of
5 the United States District Court for the Central District of California, located at 411
6 West Fourth Street, Courtroom 10A, Santa Ana, CA 92701, for entry of an Order for
7 final approval of settlement, plan of allocation, and application for an award of
8 attorneys' fees and expenses. The Defendants do not oppose the relief requested by this
9 motion.

10 This motion is based on this Notice of Motion, the supporting Memoranda of
11 Points and Authorities, and all pleadings and papers filed in this action, the arguments of
12 counsel, and any other matter that the Court may consider at the hearing of this motion.
13

14 Dated: September 4, 2015

THE WAGNER FIRM

15 By: s/ Avi Wagner

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**PROOF OF SERVICE VIA ELECTRONIC POSTING PURSUANT TO
CENTRAL DISTRICT OF CALIFORNIA LOCAL RULES
AND ECF GENERAL ORDER NO. 10-07**

I, the undersigned, say:

I am a citizen of the United States and am employed in the office of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action. My business address is 1925 Century Park East, Suite 2100, Los Angeles, California 90067.

On September 4, 2015, I caused to be served the following document:

**LEAD PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT, PLAN
OF ALLOCATION, AND APPLICATION FOR AN AWARD OF
ATTORNEYS' FEES AND EXPENSES**

By posting the document to the ECF Website of the United States District Court for the Central District of California, for receipt electronically by the parties as listed on the attached Service List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 4, 2015, at Los Angeles, California.

s/ Avi Wagner
Avi Wagner

Mailing Information for a Case 8:13-cv-01300-JLS-FFM IN RE BIOLASE, INC. SECURITIES LITIGATION**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)